

ORDINANCE NO. 49-845

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2014-00021

Zone change from GO General Office ("GO") to LC Limited Commercial ("LC") on an approximately 10,050-square foot property described as:

Lot 1, Block A, Frazey Addition, Wichita, Sedgwick County, Kansas; generally located north of 10th Street North on the west side of Topeka Avenue.

SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT PO #291:

- (1) The uses allowed are those allowed by right in the NR Neighborhood Retail zoning district. Restaurants may exceed 2,000-square feet of gross floor area, but are not permitted with drive-thru window service or in-vehicle food service.
- (2) Maximum occupancy for the restaurant may be 30-36 customers upon confirmation of the available on-site parking as provided by a site plan. The Fire Department shall post the maximum occupancy, as determined by the approved site plan. More customers may be allowed with either an approved variance to the UZC's parking standards or approved off-site parking, per the standards of the UZC as shown on a site plan.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Carl Brewer, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Sharon Dickgrafe, Interim City Attorney